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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 JAMES PLAS SAMS,

12 Plaintiff,

13 v.

14 RALPH DIAZ, et al.,

15 Defendants.
16

No. 2:20-CV-0568-JAM-DMC-P

ORDER

17 Plaintiff, a prisoner proceeding pro se, appeals the Court's final judgment entered
18 on March 30, 2022. The matter was referred by the Ninth Circuit Court of Appeals to certify
19 whether in forma pauperis status should continue on appeal or whether the appeal is frivolous or
20 taken in bad faith, in which case in forma pauperis status would be revoked pursuant to 28 U.S.C.
21 § 1915(a)(3); see also Hooker v. American Airlines, 302 F.3d 1091, 1092 (9th Cir. 2002). The
22 matter has been further referred to the undersigned by the District Judge. See ECF No. 74
23 (minute order).

24 Having reviewed the entire file, the Court concludes in forma pauperis status
25 should not be revoked because the appeal does not appear to be either frivolous or taken in bad
26 faith.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's in forma pauperis status should not be revoked and such status should continue on appeal; and

2. The Clerk of the Court is directed to serve a copy of this order on the Pro Se Unit at the Ninth Circuit Court of Appeals.

Dated: June 24, 2022



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE